

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYRA S. McKINNEY,

Plaintiff,

No. 13-11456

v.

District Judge Gerald E. Rosen
Magistrate Judge R. Steven Whalen

CORIZON HEALTH, INC., ET AL.,

Defendants.

ORDER

For the reasons and under the terms stated on the record on March 13, 2014, Defendants' Motion to Dismiss, or in the Alternative, Motion for Appropriate Sanctions for Failure to Comply with Discovery Order and to Enforce Discovery Order [Doc. #42] is GRANTED IN PART AND DENIED IN PART.

The request for dismissal under Fed.R.Civ.P. 37 for discovery violations is DENIED.

The request for alternative sanctions and to enforce discovery order is GRANTED, as follows:

(1) Within 21 days of the date of this Order, Plaintiff shall serve on Defendants' counsel supplemental discovery responses, fully and completely responding to all interrogatories and document requests, as stated on the record.

(2) Within 30 days of the date of this Order, Plaintiff's deposition shall be completed. The Plaintiff may be deposed for a period of up to seven hours, measured from the time Plaintiff is sworn.

(3) Plaintiff Tyra S. McKinney is sanctioned in the amount of \$500.00, for

attorney fees and costs, payable to Defendants' counsel on or before the date of Dr. McKinney's deposition. This sanction is imposed on Dr. McKinney personally, not her attorney.

PLAINTIFF'S FAILURE TO COMPLY WITH ANY PORTION OF THIS ORDER, OR OF ANY OTHER DISCOVERY ORDER, WILL RESULT IN FURTHER SANCTIONS, WHICH MAY INCLUDE DISMISSAL OF HER COMPLAINT.

IT IS SO ORDERED.

Date: March 13, 2014

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on March 13, 2014, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager to the
Honorable R. Steven Whalen